

MARGIE L. RICE
Mayor

KERMIT MARSH
Mayor Pro Tem

FRANK G. FRY
Council Member

ANDY QUACH
Council Member

TRI TA
Council Member



AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING

FEBRUARY 28, 2007

7:00 P.M. – COUNCIL CHAMBERS

**8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

AGENDA

February 28, 2007

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

CONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, MARSH, FRY, QUACH, TA

PRESENT:

ABSENT:

SALUTE TO FLAG: City Attorney

INVOCATION:

SPECIAL PRESENTATIONS:

- A. Presentation of MADD Awards to Westminster Police Officers Bill Drinnin (69 arrests), Paul Walker (64 arrests), Nick Tran (30 arrests), and Scott Gump (28 arrests).
- B. Presentation from Principal at La Quinta High School, Louise Milner, on the Tribute of La Quinta High School Band to Pearl Harbor Survivors.

AGENDA

February 28, 2007

1. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

APPROVAL OF MINUTES

- 1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of January 24, 2007 and Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of February 5, 2007. (Marian Contreras)**

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 Agreement for Interim Director of Personnel and Risk Management Services (Andy Hall)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an Agreement for Consultant Services with Chris Birch in an amount not to exceed \$76,000, and authorize the Interim City Manager to execute the agreement on behalf of the City.

- 1.3 Increase in Purchase Order for Arterial Wall Prepping and Painting Project (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase to the purchase order with Central Painting Company in the amount of \$40,000.

- 1.4 Lot Line Adjustment No. 2005-58 for Properties Located at 14072 Goldenwest Street and 14070 Goldenwest Street (Car Wash) (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject document and authorize its recordation at the County Recorder's Office.

AGENDA

February 28, 2007

1. CONSENT CALENDAR (Continued)

- 1.5 Agreement between the City of Westminster, Moran Property Limited Partnership and Asian Garden Ltd. II for Pavement Work on Bishop Place (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the subject agreement and authorize the Interim City Manager to execute the agreement on behalf of the City.

- 1.6 (City/Agency) Increase in Purchase Order for Tax Sharing Calculation Services for Fiscal Year 2006-07. (Paul Espinoza)**

RECOMMENDATION: Staff recommends that the Mayor/Chair and the City Council/Agency Board approve an increase to the purchase order with Hinderliter, deLlamas & Associates, Coren & Cone (HdL) for tax sharing calculation services in the amount of \$4,900

WARRANT REGISTER

- 1.7 (City Council/Redevelopment Agency) Warrant Register dated February 7 through 20, 2007. (Paul Espinoza)**

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.8 Minutes of the Planning Commission meeting held January 17, 2007 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.9 Minutes of Traffic Commission meeting held on February 6, 2007 (Marwan Youssef)**

RECOMMENDATION: Receive and file.

- 1.10 Treasurer's Report – January 2007 (Paul Espinoza)**

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

AGENDA

February 28, 2007

2. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on February 21, 2007

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of February 21, 2007

- 1) Case No. 2006-91 Conditional Use Permit for on-sale of beer and wine in conjunction with a proposed restaurant. Location: 9550 Bolsa Avenue, Suite 115A.
- 2) Case No. 2006-94 Conditional Use Permit for on-sale of alcoholic beverages and entertainment. Location: 14541 Brookhurst Street #A-3. (Caravan Seafood Restaurant).
- 3) Case No. 2006-98 Conditional Use Permit to operate an auto rental facility at the Westminster Center at 6777 Westminster Boulevard #D adjacent to Starbucks and Bank of America.
- 4) Case 2005-01 A request to not install decorative hardscape in the vehicle display area of the Lexus dealership at 13590 Beach Boulevard.

AGENDA

February 28, 2007

4. PUBLIC HEARINGS

ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS: After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

4.1 APPEAL OF PLANNING COMMISSION'S APPROVAL OF CASE NO. 2006-79 (CONDITIONAL USE PERMIT, VARIANCE, SITE PLAN REVIEW, DESIGN REVIEW, AND LOT LINE ADJUSTMENT) LOCATION: 6621-6791 WESTMINSTER BOULEVARD; APPLICANT: MICHAEL KARETI, AUTHORIZED AGENT FOR WRI GOLDEN STATE, LLC, PROPERTY OWNER OF RECORD; APPELLANT: SANDRA MCCLURE, BUSINESS OWNER.

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4063 entitled "A Resolution of the Mayor and City Council of the City of Westminster Upholding the Planning Commission's Decision to Approve Case No. 2006-79 Pertaining to a Conditional Use Permit, Variance, Site Plan Review, Design Review, and Lot Line Adjustment for a New Health Club / Gymnasium Use and Commercial Building Expansion Located at 6621-6791 Westminster Boulevard", and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports – Report on attendance by Mayor Pro Tem Marsh and Council Member Quach at the ICSC Conference on Open-Air Centers in Phoenix, Arizona on February 15 and 16, 2007.

AGENDA

February 28, 2007

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Selection of Study Session Date for Real Estate Market Study (Andy Hall)

RECOMMENDATION: Staff recommends that the Agency Board select Monday, March 5, 2007 at 6:00 p.m. for a Study Session on the results of the Real Estate Market Study.

6.2 Compensation plan for the Management/ Administrative/Confidential employees of the City of Westminster (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 4056 entitled "A Resolution of the Mayor and City Council of the City of Westminster providing for a compensation plan for the Management/ Administrative/Confidential employees of the City of Westminster", and waive further reading;
- 2) Appropriate \$160,631 for salaries and benefits to the following funds:

<u>Fund No.</u>	<u>Fund Description</u>	<u>Amount</u>
100	General Fund	\$ 57,638
285	Community Development	27,174
210	Gas Tax	4,978
211	Measure M	4,783
216	Traffic Impact	8.
220	Municipal Lighting	81
230	Cable TV	6,827
240	CDBG	1,346
242	HOME	891
275	CS Grant	829
500	Redevelopment Operating	11,702
530	Low/Moderate Housing	808
600	Water Utility	20,881
700	Equipment Replacement	3,368
740	Employee Benefits	7,047
750	Liability	7,047
760	Information Systems	<u>5,150</u>

Total Budget Adjustment for Fiscal Year 2006-2007 \$160,631

- 3) Approve a revised job classification for Assistant City Clerk; and
- 4) Approve a revised job classification for City Cable Television Production Supervisor.

AGENDA

February 28, 2007

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

6.3 (City/Agency) Mid-year Amendments to the Fiscal Year 2006-07 Budget (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor/ Chair and City Council/Agency Board Members approve amendments to the fiscal year 2006-07 Municipal Budget, as outlined in the Fiscal Impact Section of the Staff Report.

7. WRITTEN COMMUNICATIONS (Public) –None

8. LEGISLATIVE ITEMS - None

9. COMMISSION AND COMMITTEE ITEMS

9.1 Appointments to Commissions and Committees (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council consider appointments to Commissions and Committees for a two-year term ending November, 2008.

9.2 Reinstatement of the City's Energy Committee (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Consider adoption of Resolution No. 4066 entitled, "A Resolution of the Mayor and City Council of the City of Westminster reinstating the Energy Committee", and waive further reading;
- 2) Select a Chair and Vice Chair to the Committee; and
- 3) Each Council Member nominate one member to serve on the Committee, with the approval of a majority vote of the Council, or direct the City Clerk to advertise for applications.

AGENDA

February 28, 2007

9. COMMISSION AND COMMITTEE ITEMS (Continued)

9.3 Request for timed parking restrictions on the north side of Humboldt Avenue between Edwards Street and La Pat Place – T.C. 81-106 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4064 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for timed parking restrictions and no parking and stopping restrictions on the north side of Humboldt Avenue between Edwards Street and La Pat Place", and waive further reading.

9.4 Request for "Keep Clear" Pavement Markings on the South Side of Bolsa Avenue at Harper Street – T.C. 88-109 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission to install "Keep Clear" Pavement Markings and additional minor striping on the south side of Bolsa Avenue at Harper Street.

10. COUNCIL/AGENCY ADJOURNMENT: In Memory of Sondra Evans to Monday, March 5, 2007 at 6:00 p.m., in the Council Chambers, 8200 Westminster Boulevard, Westminster, for a Study Session to discuss the results of the Real Estate Market Study and other City/Agency matters.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.


Marian Contreras, City Clerk/Agency Secretary